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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/922,483	
	Filing Date	August 2, 2001	
	First Named Inventor	FINKBEINER, STEVE	
	Group Art Unit	1648	
	Examiner Name	WINKLER, ULRIKE	
Total Number of Pages in This Submission	3	Attorney Docket Number	UCAL-161DIV

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Response to Restriction Req</b> <b>Return receipt postcard</b>
<b>Remarks</b>		

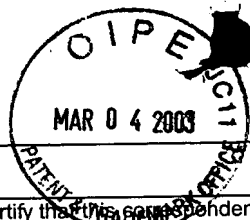
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Signing Attorney/Agent (Reg. No.)	BRET E. FIELD, 37,620 BOZICEVIC, FIELD & FRANCIS LLP
Signature	
Date	February 25, 2003

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RESPONSE TO RESTRICTION REQUIREMENT	Attorney Docket Confirmation No.	UCAL-161DIV
Address to: Assistant Commissioner for Patents Washington, D.C. 20231	First Named Inventor	Finkbeiner
	Application Number	09/922,483
	Filing Date	August 2, 2001
	Group Art Unit	1648
	Examiner Name	Ulrike Winkler
	Title	Antibodies Specific for Proteins Having Polyglutamine Expansions

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This communication is submitted in response to the office communication dated February 4, 2003.

In the above referenced office communication, the Examiner imposed a restriction requirement, requiring the election of the claims of either Group I, i.e., Claims 10-13; Group II, i.e., Claims 14-18; Group III, i.e., Claims 19-21; or Group IV, i.e., Claims 22-24; for further prosecution in this application.

The Applicants hereby elect Group I with traverse.

The Applicants also respectfully urge the Examiner to rejoin the claims of Groups II and III with the elected claims of Group I for examination in this application for the following reasons.

The MPEP allows an Examiner to examine otherwise patentably distinct sets of claims if to so would not impose an undue burden on the Examiner. M.P.E.P. § 8.03 states that:

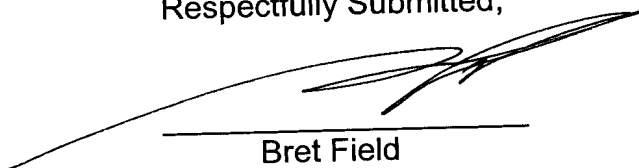
**If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.**

In the present case, the claims of Groups II and III are directed to subject matter that includes the antibody employed in the Claims of Group I. Accordingly, little, if any, additional searching should be required for the claims of Groups II and III and therefore, the examination of the claims of Groups II and III together with the claims of Group I should impose little, if any, additional burden on the Examiner.

As such, examining the claims of Groups I, II and III together in the present application clearly does not impose an undue or serious burden on the Examiner. In the absence of such an undue or serious burden, the Examiner is clearly instructed by the MPEP to examine these different groups together. Therefore, the Examiner is respectfully requested to rejoin the claims of Groups I, I and III and to examine all the claims together in the present application.

In order to expedite prosecution of this application, the Examiner is invited to contact the undersigned at (650) 327-3400. If the Patent Office determines that fees, including extensions of time, are required, the Applicants hereby petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such to our Deposit Account No. 50-0815.

Respectfully Submitted,



Bret Field  
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